

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICROSOFT CORPORATION,

Plaintiff,

v.

DATATERN, INC.,

Defendant.

SAP AG and SAP AMERICA, INC.,

Plaintiff,

v.

DATATERN, INC.,

Defendant.

**NOTICE OF DATATERN, INC.'S
UNOPPOSED MOTION TO
FILE UNDER SEAL**

Consolidated Cases:

CIVIL ACTION NO. 1:11-cv-02365-KBF

CIVIL ACTION NO. 1:11-cv-02648-KBF

ECF Case

PLEASE TAKE NOTICE THAT, upon DataTern, Inc.'s Memorandum of Law in Support of Unopposed Motion to File Under Seal, dated November 27, 2012, and pursuant to the Court's Protective Order, the Local Rules, the ECF Rules and the Sealed Records Filing Instructions, Defendant DataTern, Inc. ("DataTern") hereby moves this Court, before the Honorable Katherine B. Forrest, United States District Court Judge for the Southern District of New York, on a date and a time to be set by the Court, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007-1312, for an order allowing DataTern to file under seal the documents that contain confidential information.

November 27, 2012

Respectfully submitted,

DATATERN, INC.

By its attorneys,

McCARTER & ENGLISH, LLP

/s/ Lee Carl Bromberg

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CERTIFICATE OF SERVICE

I certify that, on this 27th day of November, I served by copies of DataTern Inc.'s Memorandum In Support of Motion to File Under Seal upon counsel of record for the other parties in the above-referenced consolidated matters via ECF, with courtesy copies served via electronic mail.

/s/ Lee Carl Bromberg

Lee Carl Bromberg